

ASSEMBLY BILL

No. 414

Introduced by Assembly Member Galgiani

February 23, 2009

An act to amend Section 44297 of, and to add Section 44297.5 to, the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 414, as introduced, Galgiani. Carl Moyer Memorial Air Quality Standards Attainment Program: heavy-duty fleet modernization projects.

Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer program), which is administered by the State Air Resources Board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from sources in the state. Under the Carl Moyer program, the state board is authorized to provide funding for, among other things, eligible heavy-duty fleet modernization projects, including a project that replaces an old engine or vehicle with a newer engine or vehicle certified to more stringent emissions standards than the engine or vehicle being replaced.

The bill would require the state board to develop and implement a trade-down program that provides assistance to owners of high-use, newer model, heavy-duty fleet vehicles to convert those vehicles for lower use, commercial operations in a manner that reduces emissions of oxides of nitrogen and particulate matter. The bill would provide that the trade-down program would be eligible for funding under the Carl Moyer program as an eligible heavy-duty fleet modernization project if it meets a specified criterion.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) The Highway Safety, Traffic Reduction, Air Quality, and
4 Port Security Bond Act of 2006, approved by the voters as
5 Proposition 1B at the November 7, 2006, general election,
6 authorizes the issuance of general obligation bonds for various
7 purposes, including one billion dollars (\$1,000,000,000) for
8 projects that improve air quality, which are presently designated
9 for truck retrofits.
- 10 (b) It is in the public interest to pursue all cost-effective efforts,
11 consistent with the Carl Moyer Memorial Air Quality Standards
12 Attainment Program (Chapter 9 (commencing with Section 44275)
13 of Part 5 of Division 2 of the Health and Safety Code), to retire
14 from service the oldest, most heavily polluting, heavy-duty diesel
15 vehicles, and, through a trade-down program, replace those vehicles
16 with newer, lower emission vehicles.
- 17 SEC. 2. Section 44297 of the Health and Safety Code is
18 amended to read:
- 19 44297. (a) The state board, acting within its existing authority,
20 shall, at its first opportunity following January 1, 2005, revise the
21 grant criteria and guidelines adopted pursuant to Section 44287 to
22 incorporate projects described in subdivision (c).
- 23 (b) The guidelines may define eligible costs to include
24 monitoring and verifying compliance with this article.
- 25 (c) Notwithstanding any other provision of this chapter, a project
26 that meets—~~either~~ *one* of the following criteria constitutes a
27 heavy-duty fleet modernization project and thus is eligible for
28 funding under the program, if it complies with the guidelines
29 established by the state board pursuant to subdivision (a):
- 30 (1) Replaces an old engine or vehicle with a newer engine or
31 vehicle certified to more stringent emissions standards than the
32 engine or vehicle being replaced, pursuant to paragraph (2) of
33 subdivision (a) of Section 44281.
- 34 (2) Provides the equivalent emission reductions as would be
35 gained by a project that combines both of the following:

1 (A) The purchase of a new very low or zero-emission covered
2 vehicle pursuant to paragraph (1) of subdivision (a) of Section
3 44281.

4 (B) The replacement of an old engine or vehicle with a newer
5 engine or vehicle certified to more stringent standards than the
6 engine or vehicle being replaced, pursuant to paragraph (2) of
7 subdivision (a) of Section 44281.

8 (3) *The replacement of older model vehicles used in commercial*
9 *operations with newer model vehicles in accordance with Section*
10 *44297.5.*

11 (d) In establishing guidelines pursuant to subdivision (a), the
12 state board shall consider any existing heavy-duty fleet
13 modernization program carried out by a district. The state board
14 shall design a program that, to the extent feasible, includes fleet
15 owners, independent truck owners, heavy-duty vehicle dealers,
16 districts, and other participants it determines appropriate from
17 existing local programs.

18 (e) The grants provided pursuant to this article shall provide
19 moneys to offset the incremental cost of projects that reduce
20 emissions of oxides of nitrogen (NO_x) and particulate matter (PM).

21 (f) The state board shall determine an appropriate weighted
22 cost-effectiveness standard for projects intended to reduce
23 particulate matter.

24 SEC. 3. Section 44297.5 is added to the Health and Safety
25 Code, to read:

26 44297.5. (a) The state board, in consultation with the Business,
27 Transportation and Housing Agency and the California
28 Transportation Commission, shall develop and implement a
29 trade-down program that provides assistance to owners of high-use,
30 newer model, heavy-duty fleet vehicles to convert those vehicles
31 for lower use, commercial operations in a manner that reduces
32 emissions of oxides of nitrogen and particulate matter.

33 (b) The program developed pursuant to subdivision (a) shall be
34 eligible for funding under the program if it meets the criterion set
35 forth in paragraph (3) of subdivision (c) of Section 44297, and
36 under any other program if it meets the criteria set in those
37 programs.